

U.S. DISTRICT COURT  
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CHAMBERS OF  
WILLIAM H. PAULEY  
U.S.D.J.

MICHAEL A. CARDODOZ  
*Corporation Counsel*

THE CITY OF NEW YORK  
LAW DEPARTMENT

100 CHURCH STREET  
NEW YORK, NY 10007

Susan P. Scharfstein  
*Special Federal Litigation Division*  
212-227-4071  
Facsimile: (212) 788-9776  
[sscharfs@law.nyc.gov](mailto:sscharfs@law.nyc.gov)

MEMO ENDORSED

June 6, 2008

*Application granted.*  
SO ORDERED:  
*WILLIAM H. PAULEY III U.S.D.J.*  
*6/10/08*

Re: Ramen v. City of New York, et al., 08 CV 433 (WHP)

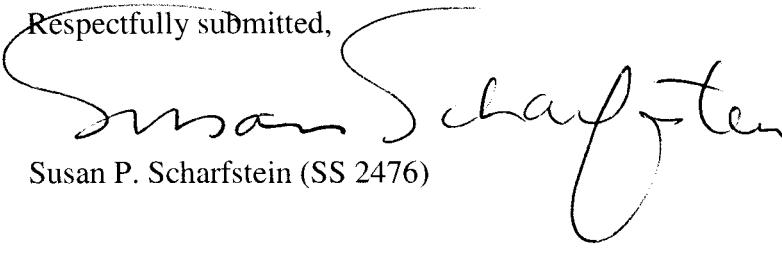
Dear Judge Pauley:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, counsel for defendants City of New York, the New York City Police Department, the Kings County District Attorney's Office, Charles Hynes, the Queens County District Attorney's Office, and Richard Brown in the above-referenced action alleging, inter alia, violations of plaintiff's rights pursuant to 42 U.S.C. § 1983.

Late yesterday, I received notice by facsimile from counsel for plaintiff that he intends to discontinue this action as set forth in the annexed correspondence and stipulation that he has forwarded for my signature. As the Court is aware, a schedule for submission of defendants' proposed motion to dismiss pursuant to Federal Rules 12(b)(1) and 12(b)(6) was set by the Court at the conference held on May 2, 2008. Based on that schedule, defendants' moving papers were to be served on or before June 9, 2008, and the motion was to be heard at oral argument on August 1, 2008, at 10:30 a.m. As it now appears that motion practice will be unnecessary, we ask that the Court suspend the current schedule so that the parties can arrange for a fully-executed and original stipulation of dismissal and discontinuance to be submitted and approved by the Court.

Thank you for your consideration herein.

Respectfully submitted,

  
Susan P. Scharfstein (SS 2476)

cc: Peter Pearson Traub, Jr., Esq.  
Law Offices of Peter P. Traub  
107 Grand Street, 4th Floor  
New York, NY 10013  
(by hand)